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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,100	04/30/2001	Masayuki Chatani	375.15.01	3956

7590   03/09/2005

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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Office Action Summary	09/846,100	CHATANI, MASAYUKI	
	Examiner	Art Unit	
	El Hadji M Sall	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *November 15, 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   ***DETAILED ACTION***

This action is responsive to the amendment filed on November 15, 2004. Claims 1-35 are pending. Claims 1-35 represent Method and System for Providing Evaluation of Text-Based Products.

2.   ***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-6 and 11-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Herz U.S. 6,460,036.

Herz teaches the invention including system and method for providing customized electronic newspapers and target advertisement (see abstract).

As to claim 1, Herz teaches a method for providing evaluation information to a customer using a system comprising a first database configured to store data concerning text content and a customer database configured to store data concerning text content read by the customer, the method comprising the steps of:

storing data exclusively concerning a search text content read by the customer in the customer database (column 8, lines 1-9, Herz discloses storage space by only storing those target objects which are relevant to the user's interest);

receiving a search request comprising a search item from the customer (column 29, lines 11-15, Herz discloses the user can interact with the information servers to request and obtain access to data that resides on mass storage systems);

comparing data concerning the search item with data concerning text content previously read by the customer by accessing the first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

transmitting the obtained rating data to the customer for display at a customer computer (column 18, lines 13-27, Herz discloses a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed).

As to claim 2, Herz teaches the method of claim 1, further comprising transmitting similarity data to a customer computer for display, wherein the similarity data indicates the similarity of the search item with at least one item included in the text content previously read by the customer (column 7, lines 64-67, Herz discloses the detailed, comprehensive target profiles and user-specific target profile interest summaries enable the system to provide responsive routing of specific queries for user information access).

As to claim 3, Herz teaches the method of claim 2, wherein the similarity data is a rating of the percentage similarity between the search item and at least one item included in the text content previously read by the customer (column 7, lines 24-30, Herz discloses...desirable objects automatically selects a set of articles that the user is likely to wish to read. The accuracy of this filtering system improves over time by noting, which articles the user reads, and by generating measurement of the depth to which the user reads each article).

As to claim 4, Herz teaches the method of claim 1, further comprising the step of registering information regarding the text content previously read by the customer in the customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary; column 8, lines 1-9, Herz discloses provide the desired information only storing those target objects which are relevant to the user's interest).

As to claim 5, Herz teaches the method of claim 4, wherein the step of registering information includes receiving search item information from the customer computer, instructing a database server to search the first database, and generating a search results list (column 3, lines 2-10, Herz discloses the information retrieval computer generates an article profile for the request and then retrieves article with profiles similar to the profile generated for the request; column 5, lines 16, lines 16-22, Herz discloses the system evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing).

As to claim 6, Herz teaches the method of claim 1, further comprising establishing the search item under consideration by the customer (column 4, lines 63-65, Herz discloses a specific embodiment of the target profile interest summary which comprises a set of search profiles is termed the "search profile set" of a user).

As to claim 11, Herz teaches the method of claim 1, wherein the step of comparing data includes:

searching keyword fields in the customer database based on keywords of the search item (column 2, lines 43-48, Herz discloses the most widely used matching: the user specifies a set of keywords which the user thinks are exclusively found in the desired articles and the information retrieval computer retrieves all articles and the information retrieval computer retrieves all articles which contain those keywords);

rating candidate text content according to an algorithm (column 3, lines 12-23, Herz discloses a number of researchers have looked at methods for selecting articles of most interest to users...The Ringo system requires active feedback from the users-users must manually specify how much they like or dislike...maintains a complete list of users ratings of music selections and makes recommendations by finding which selections were liked by multiple people).

As to claim 12, Herz teaches the method of claim 11, wherein the algorithm rates text content having a greater number of keywords in common with the search item under consideration higher than text content sharing fewer keywords (column 3, lines 12-35, Herz discloses a number of researchers have looked at methods for selecting articles of most interest to users...The Ringo system requires active feedback from the users-users must manually specify how much they like or dislike...maintains a complete list of users ratings of music selections and makes recommendations by finding which selections were liked by multiple people...their system uses a list of keywords to represent sets of articles and the records of users' interests are updated using genetic algorithms).

As to claim 13, Herz teaches the method of claim 11, wherein the algorithm rates text content having a number of keywords in common, in the range between 60 percent and about 75 percent, with the search item under consideration as the highest-rated text content (column 56, lines 14-28, Herz discloses...asking the user to specify search profiles directly by giving keywords and/or numeric attributes).

As to claim 14, Herz teaches a method for providing evaluation information to a customer using a system comprising a first database configured to store data concerning text content and a customer database configured to store data concerning text content read by the customer, the method comprising the steps of:

receiving a search request comprising a search item from the customer (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers...to request and obtain access to data that resides on mass storage systems);

comparing data concerning the search item with data concerning text content previously read by the customer by accessing the first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

transmitting the obtained rating data to a customer computer for display (column 18, lines 13-27, Herz discloses a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed); and

transmitting similarity data to the customer computer for display (column 7, lines 64-67, Herz discloses the detailed, comprehensive target profiles and user-specific target profile interest summaries enable the system to provide responsive routing of specific queries for user information access; column 3, lines 2-4, Herz discloses articles with similar profile are retrieved).

As to claim 15, Herz teaches the method of claim 1, further comprising the step of registering information regarding the text content previously read by the customer in the customer database (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest).

As to claim 16, Herz teaches a method for providing evaluation information to a customer using a system comprising a first database configured to store data concerning text content and a customer database configured to store data concerning text content read by the customer, the method comprising the steps of:

registering information regarding the text content previously read by the customer in the customer database (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest);

receiving a search request comprising a search item from the customer (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers...to request and obtain access to data that resides on mass storage systems...);

comparing data concerning the search item with data concerning text content previously read by the customer by accessing the first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

transmitting the obtained rating data to a customer computer for display (column 18, lines 13-27, Herz discloses...a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed...).

As to claim 17, Herz teaches a system for providing evaluation information to a customer comprising:

a customer computer programmed to transmit a search request comprising a search item, and to display search results (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers, and to request and obtain access to data that resides on mass storage systems);

a first database configured to store data concerning text content (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest);

a customer database configured to store data exclusively concerning text content read by the customer (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest);

a database server, connected to the first and customer databases, programmed to compare data concerning the result item with data concerning text content read by the customer by accessing the first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets)

As to claim 18, the system of claim 17, wherein the database server is further programmed to register information regarding the text content read by the customer into the customer database (column 8, lines 1-9, Herz discloses providing the desired information only storing those target objects which are relevant to the user's interest).

As to claim 19, the system of claim 17, wherein the database server is further programmed to transmit the rating data and similarity data to the customer for display on the customer computer (column 18, lines 13-27, Herz discloses a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed; column 7, lines 64-67, Herz discloses the detailed, comprehensive target profiles and user-specific target profile interest summaries enable the system to provide responsive routing of specific queries for user information access).

As to claim 20, Herz teaches a system for providing evaluation information to a customer comprising:

a customer computer programmed to transmit a search request comprising a search item, and to display search results (column 58, lines 43-45, Herz discloses the user can then transmit a request by computer, and to indicate which of the identified articles the user wishes to review);

a first database configured to store data concerning text content (column 34, lines 55-60, Herz discloses the actual user-specific information and the associated pseudonyms need to be stored locally on the proxy server, but may alternatively be stored in a distributed fashion and be remotely addressable from the proxy server via point-to-point connection);

a customer database configured to store data concerning text content read by the customer (column 37, lines 59-63, Herz discloses the structure of the user's database entry consists of a user profile as detailed herein...);

a database server, connected to the first and customer databases, programmed to compare data concerning the search item with data concerning text content read by the customer by accessing the first database and the customer database to obtain rating and similarity data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

As to claim 21, Herz teaches a system of claim 20, wherein the database server is further programmed to register information regarding the text content read by the customer into the customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary; column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest).

As to claim 22, Herz teaches a system for providing evaluation information to a customer comprising:

a customer computer programmed to transmit a search request comprising a search item, and to display search results (column 58, lines 43-45, Herz discloses the user can then transmit a request by computer...to indicate which of the identified articles the user wishes to review);

a first database configured to store data concerning text content (column 34, lines 55-60, Herz discloses the actual user-specific information and the associated pseudonyms need to be stored locally on the proxy server, but may alternatively be stored in a distributed fashion and be remotely addressable from the proxy server via point-to-point connection);

a customer database configured to store data concerning text content read by the customer (column 34, lines 55-60, Herz discloses the actual user-specific information and the associated pseudonyms need to be stored locally on the proxy server, but may alternatively be stored in a distributed fashion and be remotely addressable from the proxy server via point-to-point connection);

a database server, connected to the first and customer databases, programmed to:

register information regarding the text content read by the customer into the customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary...; column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest); and

compare data concerning the search item with data concerning text content read by the customer by accessing the first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

As to claim 23, Herz teaches the system of claim 22, wherein the database server is further programmed to transmit the rating data and similarity data to the customer computer for display (column 18, lines 13-27, Herz discloses...a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed...; column 7, lines 64-67, Herz discloses the detailed, comprehensive target profiles and user-specific target profile interest summaries enable the system to provide responsive routing of specific queries for user information access).

As to claim 24, Herz teaches an article of manufacture embodying a program of instructions executable by a machine, the program of instructions including instructions for:

receiving a search request comprising a search item from a customer (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers...to request and obtain access to data that resides on mass storage systems);

comparing data concerning the search item with data concerning text content previously read by the customer by accessing a first database and a customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets...); and

transmitting the obtained rating data to a customer computer for display (column 18, lines 13-27, Herz discloses...a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed...);

wherein the customer database that is accessed stores only data concerning text content read by the customer (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest).

As to claim 25, Herz teaches the article of manufacture of claim 24 further includes instructions for registering information regarding the text content previously read by the customer in the customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary...; column 8, lines 1-9, Herz discloses providing the desired information only storing those target objects which are relevant to the user's interest).

As to claim 26, Herz teaches the article of manufacture of claim 25 further includes instructions for transmitting similarity data to the customer computer for display, wherein the similarity data indicates the similarity of the search item with at least one item included in the text content previously read by the customer (column 7, lines 24-30, Herz discloses desirable objects automatically selects a set of articles that the user is likely to wish to read. The accuracy of this filtering system improves over time by noting, which articles the user reads, and by generating measurement of the depth to which the user reads each article).

As to claim 27, Herz teaches an article of manufacture embodying a program of instructions executable by a machine, the program of instructions including instructions for:

registering information regarding the text content previously read by a customer in a customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary; column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest);

receiving a search request comprising a search item from the customer (column 29, lines 11-15, Herz discloses the user can, by use of the information access software,

interact with the information servers...to request and obtain access to data that resides on mass storage systems);

comparing data concerning the search item with data concerning text content previously read by the customer by accessing a first database and the customer database to obtain rating data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets...); and

transmitting the obtained rating data to a customer computer for display (column 18, lines 13-27, Herz discloses a visual indicator, such as a sliding bar or indicator needle on the user's screen, can be used is to continuously display the passive feedback score estimated by the system for the target object being viewed).

4.   *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 7-10 and 28-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Herz U.S. 6,460,035 in view of Reisman U.S. 6,611,862.

Herz teaches the invention substantially including system and method for

providing customized electronic newspapers and target advertisement (see abstract).

As to claim 7, Herz teaches the method of claim 6, wherein the step of

establishing the search item under consideration by the customer is accomplished by:

receiving search criteria information from the customer (column 6, lines 48-3,

Herz discloses a second module uses interest feedback, and in the form of a "search

profile set" consisting of a plurality of search profiles, each of which corresponds to a

single topic of high interest for the user);

instructing the database server to search the first database (column 38, lines 48-

67, Herz discloses...the request R to proxy server S2 formed by the user may have

different content. For example, request R may instruct proxy server S2 to use the

methods described later in this description to retrieve from the most convenient server a

particular piece of information...; column 55, lines 13-14, Herz discloses...instructs the

user's proxy server D to retrieve file F from server S)

Herz fails to teach displaying potential text content items on a customer web

browser.

However, Reisman teaches user station software that controls transport and

presentation on content from a remote source. Reisman teaches displaying potential

text content items on a customer web browser (figure 12).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Herz in view of Reisman to introduce displaying potential text

content items on a web browser. One would be motivated to do so to include the

capability for remote database management and the ability to maintain and modify a

web site from any remote Internet-connected location.

As to claim 8, Herz teaches the claim 7, wherein a text content item selected by the customer is used in obtaining rating data (column 7, lines 1-6, Herz discloses a system in which some target objects are novels and other target objects are movies can discover such correlation and exploit it in order to group particular novels with particular movies...for clustering purposes, or to recommend the movies to a user who has demonstrated interest in the novels).

As to claim 9, Herz teaches the method of claim 7, wherein a text content item selected by the customer is used in obtaining similar data (column 8, lines 50-51, Herz discloses this section describes a general procedure for automatically measuring the similarity between two target objects).

As to claim 10, the method of claim 8, wherein a text content item selected by the customer is used in obtaining similar data (column 8, lines 50-51, Herz discloses this section describes a general procedure for automatically measuring the similarity between two target objects).

As to claim 28, Herz teaches a method for providing text content evaluation information to a customer computer in response to a request for search item evaluation information from the customer computer using a system comprising (1) the customer computer programmed to transmit a search request for text content evaluation information and to display the search results (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers...to request and obtain access to data that resides on mass storage systems...); (3) a first database for storing data concerning text content (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest); (4) a customer database for storing data concerning text content read by the customer operating the customer computer (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest); the method comprising:

a) initiating a search request at the customer computer to evaluate a search item
under consideration by the customer (column 26, lines 1-11, Herz discloses steps 1-2
are carried out by the processor that initiates the search);

Herz fails to teach (2) a bidirectional network connection between said customer
computer and web server allowing data transfer therebetween; and (5) a database
server, connected to the web server, programmed to receive customer computer search
requests through the web server, to process search requests, to access the first
database, to access the customer database, and to provide search results to the web,
the method comprising the steps of:

b) receiving the search request at the web server;

c) transmitting the search request from the web server to the database server,
whereby the database server compares data concerning the search item stored in the
first database with data concerning text content read by the customer operating the
customer computer to obtain search item evaluation information responsive to the
search request; and

d) transmitting the search item evaluation information from the database server
to web server for display of the search item evaluation information at the customer
computer.

However, Reisman teaches (2) a bidirectional network connection between said
customer computer and web server computer allowing data transfer therebetween
(figure 12; column 40, lines 18-12, Reisman discloses sending of information from the
user to web package server 136 can be accommodated, if desired, using the bi-
directional capabilities of the transporter); and (5) a database server, connected to the
web server, programmed to receive customer computer search requests from the web
server, to process search requests, to access the first database, to access the customer
database, and to provide search results to the web server (figure 12, item 145), the
method comprising the steps of:

b) receiving the search request at the web server (column 40, lines 31-41,
Reisman discloses the linkage between web package server 136 and web server 132
can be used bi-directionally to provide enhanced real-time services such as searching

and transaction processing. For example, a response to a user's inquiry or purchase or product order, from a remote Web site can be received by Web server 132...; figure 12; column 40, lines 18-12, Reisman discloses sending of information from the user to web package server 136 can be accommodated, if desired, using the bi-directional capabilities of the transporter);

c) transmitting the search request from the web server to the database server, whereby the database server compares data concerning the search item stored in the first database with data concerning text content read by the customer operating the customer computer to obtain search item evaluation data responsive to the search request (column 40, lines 31-41, Reisman discloses the linkage between web package server 136 and web server 132 can be used bi-directionally to provide enhanced real-time services such as searching and transaction processing; column 38, lines 37-40, Reisman discloses the Web site sponsor may choose to modify the example to simplify them, or to provide access to content or function intended by the sponsor for local use only); and

d) transmitting the search item evaluation data from the database server to web server for display of the search item evaluation data at the customer computer (column 37, lines 33-41, Reisman discloses...the local browser comprises search, display and hyperlink capabilities comparable to those provided by a conventional Web browser and such adaptations may include the link manager; a local search filter for a Web search engine).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Herz in view of Reisman to introduce a system comprising a web server computer and a database server connected to the web server. One would be motivated to do so to include the capability for remote database management and the ability to maintain and modify a web site from any remote Internet-connected location.

As to claim 29, Herz teaches the method of claim 1 further comprising registering text content read by the customer into the customer database (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish

to make public all of the interest recorded in the user's target profile interest summary; column 8, lines 1-9, Herz discloses providing the desired information only storing those target objects which are relevant to the user's interest).

As to claim 30, Herz teaches a method for providing text content evaluation information to a customer computer in response to a request for search item evaluation information from the customer computer using a system comprising (1) the customer computer programmed to transmit a search request for text content evaluation information and to display the search results (column 29, lines 11-15, Herz discloses the user can, by use of the information access software, interact with the information servers...to request and obtain access to data that resides on mass storage systems...); (3) a first database for storing data concerning text content (column 8, lines 1-9, Herz discloses providing the desired information only storing those target objects which are relevant to the user's interest); (4) a customer database for storing data concerning text content read by the customer operating the customer computer (column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest), the method comprising the steps of :

a) initiating the search request at the customer computer to evaluate a search item under consideration by the customer (column 26, lines 1-11, Herz discloses steps 1-2 are carried out by the processor that initiates the search); and

e) registering text content items that have been read by the customer from the related text content data (column 5, lines 37-41, Herz discloses for reasons of confidentiality and privacy, a particular user may not wish to make public all of the interest recorded in the user's target profile interest summary; column 8, lines 1-9, Herz discloses...provide the desired information only storing those target objects which are relevant to the user's interest); and

f) comparing data concerning the search item under consideration with data concerning the registered text content, both from the first database, to obtain search item evaluation data responsive to the search request (column 6, lines 53-60, Herz discloses the system further includes a profile processing module which estimates each

user's target profile interest summaries, for example by comparing the target profiles of these target objects against the search profiles in users' search profile sets).

Herz fails to teach (2) a bidirectional network connection between said customer computer and web server allowing data transfer therebetween; and (5) a database server, connected to the web server, programmed to receive customer computer search requests through the web server, to process search requests, to access the first database, to access the customer database, and to provide search results to the web, the method comprising the steps of:

b) receiving the search request at the web server;

c) transmitting the search request from the web server to the database server, whereby the database server compares data concerning the search item under consideration with data concerning text content, both from the first database and the customer database, to identify text content related to the search item under consideration; and

d) transmitting the related text content data from the database server to the web server for display of the related text content data at the customer computer.

g) transmitting the search item evaluation data from the database server to web server for display of the search item evaluation data at the customer computer.

However, Reisman teaches (2) a bidirectional network connection between said customer computer and web server computer allowing data transfer therebetween (figure 12; column 40, lines 18-12, Reisman discloses sending of information from the user to web package server 136 can be accommodated, if desired, using the bi-directional capabilities of the transporter); and (5) a database server, connected to the web server, programmed to receive customer computer search requests from the web server, to process search requests, to access the first database, to access the customer database, and to provide search results to the web server (figure 12, item 145), the method comprising the steps of:

b) receiving the search request at the web server (column 40, lines 31-41, Reisman discloses the linkage between web package server 136 and web server 132 can be used bi-directionally to provide enhanced real-time services such as searching

and transaction processing. For example, a response to a user's inquiry or purchase or product order, from a remote Web site can be received by Web server 132; figure 12; column 40, lines 18-12, Reisman discloses sending of information from the user to web package server 136 can be accommodated, if desired, using the bi-directional capabilities of the transporter);

c) transmitting the search request from the web server to the database server, whereby the database server compares data concerning the search item stored in the first database with data concerning text content read by the customer operating the customer computer to obtain search item evaluation data responsive to the search request (column 40, lines 31-41, Reisman discloses the linkage between web package server 136 and web server 132 can be used bi-directionally to provide enhanced real-time services such as searching and transaction processing; column 38, lines 37-40, Reisman discloses the Web site sponsor may choose to modify the example to simplify them, or to provide access to content or function intended by the sponsor for local use only); and

d) transmitting related text content data from the database server to the web server for display of the related text content data at the customer computer (column 37, lines 33-41, Reisman discloses...the local browser comprises search, display and hyperlink capabilities comparable to those provided by a conventional Web browser and such adaptations may include the link manager; a local search filter for a Web search engine).

g) transmitting the search item text content evaluation information from the database server to web server for display of the search item text content evaluation information at the customer computer (column 37, lines 33-41, Reisman discloses...the local browser comprises search, display and hyperlink capabilities comparable to those provided by a conventional Web browser...Such adaptations may include the link manager; a local search filter for a Web search engine...).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Herz in view of Reisman to introduce a system comprising a web server computer and a database server connected to the web server. One would be

motivated to do so to allow capability for remote database management and the ability
to maintain and modify a web site from any remote Internet-connected location.

As to claim 31, Herz teaches a system for providing text content evaluation
information to a customer computer in response to a request for search item evaluation
information from the customer computer, wherein the customer computer is
programmed to transmit a search request for search item evaluation information and to
display search results, the system comprising:

a first database for storing data concerning text content (column 8, lines 1-9,
Herz discloses...provide the desired information only storing those target objects which
are relevant to the user's interest); and

a customer database for storing data concerning text content read by the
customer operating the customer computer (column 8, lines 1-9, Herz
discloses...provide the desired information only storing those target objects which are
relevant to the user's interest).

Herz fails to teach a network connection between said customer computer and
web server computer allowing data transfer therebetween; and

a database server, connected to the web server, program to receive customer
computer search request from the web server, to process search requests, to access
the first database, to access the customer database, and to provide search results to
the web server, wherein the search results are transmitted to the customer computer for
display on the customer computer.

However Reisman teaches a network connection between said customer
computer and web server computer allowing data transfer therebetween (figure 12;
column 40, lines 18-12, Reisman discloses sending of information from the user to web
package server 136 can be accommodated, if desired, using the bi-directional
capabilities of the transporter); and

a database server, connected to the web server, programmed to receive
customer computer search requests through the web server, to process search

requests, to access the first database, to access the customer database, and to provide search results to the web server (figure 12, item 145).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Herz in view of Reisman to provide a system comprising a web server computer and a database server connected to the web server. One would be motivated to do so to include the capability for remote database management and the ability to maintain and modify a web site from any remote Internet-connected location.

As to claim 32, Herz teaches the system of claim 31, wherein the search results comprise registration search results including a list of text content items presented to the customer as registration candidates, having a greatest number of keywords that match the keywords associated with a search item under consideration by the customer (column 3, lines 2-10, Herz discloses the information retrieval computer generates an article profile for the request and then retrieves article with profiles similar to the profile generated for the request...; column 5, lines 16-22, Herz discloses the system evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing...; column 2, lines 43-43, Herz discloses the most widely used methods of information retrieval are based on keyword matching: the user specifies a set of keywords which the user thinks are exclusively found in the desired articles and the information retrieval computer retrieves all articles and the information retrieval computer retrieves all articles which contain those keywords).

As to claim 33, Herz teaches the system of claim 31, wherein the search results comprise registration search results including a list of text content items presented to the customer as registration candidates, when the greatest number of keywords equal to the keywords associated with a search item under consideration by the customer is in the range between about 60 percent and about 75 percent (column 3, lines 2-10, Herz discloses the information retrieval computer generates an article profile for the request and then retrieves article with profiles similar to the profile generated for the request;

column 5, lines 16-22, Herz discloses the system evaluates the target profiles against the users' target profile interest summaries to generate a user-customized rank ordered listing; column 56, lines 14-28, Herz discloses asking the user to specify search profiles directly by giving keywords and/or numeric attributes).

As to claim 34, Herz teaches the system of claim 31, wherein the search results comprise evaluation search results including an initial list of text content items, presented to the customer as recommendation candidates, generated by matching keywords with a search item selected by the customer (figure 13A; column 2, lines 43-43, Herz discloses the most widely used methods of information retrieval are based on keyword matching: the user specifies a set of keywords which the user thinks are exclusively found in the desired articles and the information retrieval computer retrieves all articles and the information retrieval computer retrieves all articles which contain those keywords; column 56, lines 14-28, Herz discloses...asking the user to specify search profiles directly by giving keywords and/or numeric attributes).

As to claim 35, Herz teaches the system of claim 34, wherein the evaluation search results further include an alternate list of text content items generated by matching text-content-related data other that keywords, said alternate list being created by the database server in the event the initial list of text content items is unsatisfactory to the customer (column 2, lines 57-67, Herz discloses starting in the 1960's, an alternate approach to information retrieval was developed: user were presented with an article and asked if it contained the information they wanted...Each article was described by a profile which comprised either a list of the words in the article, or in more advanced systems, a table of word frequencies in the article).

7.   ***Response to Arguments***

Applicant's arguments filed 11/19/04 have been fully considered but they are not

persuasive.

(A)   As to claim 1, applicant argues that the information retrieving system, in

Herz, does not disclose the feature of a search request comprising a search item from

the customer, instead the information retrieving system, in Herz, automatically

constructs a target profile for each target object and a target profile interest summary for

each user, which describes the user's interest level in various types of target objects,

without any input from the customer..

In regards to point (A), examiner respectfully disagrees.

On column 2, lines 29-31, Herz discloses users may receive information on a

compute network by actively retrieving the information or by passively receiving the

information (i.e. Both the step of "retrieving" and/or "receiving" information from the

remote network at least imply that a search request for an item (information) was

generated. Therefore, at least implicitly discloses the limitation of a "search request

comprising a search item").

(B)   As to claim 7, applicant argues that Herz does not discloses a customer-

interactive evaluation and data acquisition method that includes receiving a search

request from the customer to search for a specific item and comparing searched data

with data previously read by the customer.

In regards to point (B), examiner respectfully disagrees.

Features such as customer-interactive is not in the claims.

On column 2, lines 29-31, Herz discloses users may receive information on a compute network by actively retrieving the information or by passively receiving the information (i.e. Both the step of "retrieving" and/or "receiving" information from the remote network at least implies that a search request for an item (information) was generated. Therefore, at least implicitly discloses the limitation of a "search request comprising a search item").

On column 6, lines 53-60, Herz comparing the target profiles of these target objects against the search profiles in users' search profile sets (i.e. by comparing the target profiles (data) against the search profiles in user, Herz implicitly discloses "comparing searched data with data previously read by the customer").

(C)   As to claim 7, applicant argues that Reisman has the same deficiencies as Herz; it does not disclose or suggest any user or customer input, e.g., a search request from the customer and comparing data with data previously read by the customer.

In regards to point (C), examiner respectfully disagrees.

Features such as "a search request from the customer and comparing data with data previously read by the customer" is already addressed in point (B).

8.   *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to El Hadji M Sall whose telephone number is 571-272-

4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

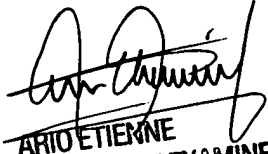published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
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